

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/141,374  
Filing Date: 5/8/02  
Applicant: Hyon et al.  
Group Art Unit: 3738  
Title: Ultra High Molecular Weight Polyethylene  
Molded Article for Artificial Joints and Method of  
Preparing the Same  
Reissue of U. S. Patent 6,168,626, Issued 01/02/2001  
Attorney Docket: 5490-000280/REA

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Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**STATEMENT UNDER 37 CFR 3.73(b) AND POWER OF  
ATTORNEY OR AUTHORIZATION OF AGENT**

Under 37 C.F.R. § 3.73(b), the undersigned hereby states that the below-named  
Assignee is an assignee in the above-identified Patent and Reissue Application:

Assignee: BMG Incorporated

The documentary evidence of a chain of title from the original owner to the Assignee  
is provided in the Assignment Document(s):

- ☐ filed herewith,  
☒ previously filed,

Reel No. 008082, Frame No. 0009.

**POWER OF ATTORNEY**

I hereby appoint each practitioner at Customer No. 27572 ( *\*27572\** ) of  
Harness, Dickey & Pierce, P.L.C., my attorney with full power of substitution and revocation,  
to prosecute this application and to transact all business in the Patent and Trademark Office  
connected therewith.

**CORRESPONDENCE ADDRESS**

I request the Patent and Trademark Office to direct all correspondence and  
telephone calls relative to this application to Customer No. 27572 ( *\*27572\** ), Harness,  
Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

The undersigned, whose title is supplied below, is empowered to sign this certificate  
on behalf of the assignee.

BMG Incorporated

Date:

7/30/02

  
Name: Yoko Gen  
Title: C.E.O.

**PATENT**

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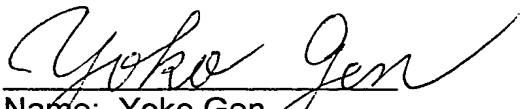
Hon. Commissioner of Patents and Trademarks  
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**ASSIGNEE CONSENT UNDER 37 C.F.R. 1.172**

BMG, Incorporated, assignee and sole owner of U.S. Patent No. 6,168,626 B1 which issued to Hyon et al. on January 2, 2001, consents to the filing of the Reissue Application No. 10/141,374 filed May 8, 2002 for the reissue of said U.S. Patent No. 6,168,626 B1.

BMG Incorporated

Date: 7/30/02

  
Name: Yoko Gen  
Title: C.E.O.

**PATENT**

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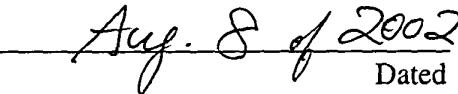
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Washington, D.C. 20231

**Statement Under 37 C.F.R. 1.69(b)**

I hereby state, to the best of my knowledge, that the attached "Reissue Application Declaration by the Inventor" for the above captioned Reissue Application sets forth an accurate English-language translation of its Japanese-language text.

  
\_\_\_\_\_  
Signature  
Shigeumi Okumura

  
\_\_\_\_\_  
Dated

REISSUE APPLICATION DECLARATION BY  
THE INVENTOR

Docket Number  
5490-000280/REA

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住居、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is Described and claimed in Patent Number 6,168,626 granted 01/02/2001, and for which a reissue patent is sought on the invention entitled Ultra High Molecular Weight Polyethylene Molded Article for Artificial Joints and Method of Preparing the Same

（下記の名称の発明は、2001年1月2日に認めれた特許番号6,168,626である。再発行特許出願する発明の名称は「人工関節用超高分子量ポリエチレン成形物およびその製造法」。）

明細書は

The specification of which

☐ ここに添付した。

☐ is attached hereto

☒ 2002年5月8日に再発行特許出願され、  
2002年5月8日に補正された。再発行特許出願番号は10/141,374。

☒ was filed on 5/8/02 as reissue application number 10/141,374 and was amended on 5/8/02.

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

私は、真に、原特許は、全く又は一時的実施不能又は無効であると信じる。（当てはまるものを全てをチェックする）

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ 明細書又は図面の欠陥があるため

☐ by reason of a defective specification or drawing.

☒ 特許権者が請求しうる以上又は以下のクレームをしているという理由により

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ その他の誤りにより

☐ by reason of other errors.

再発行特許出願は、少なくとも上記ひとつに基きなされており、詳細は以下のとおりである：我われは、その発明の重要な実施例を具体的に主張しなかった。特に、記録に残っている参考文献から特許可能である、好まれる照射レベルに焦点をあてた、実施例にはふれていなかった。それらは、新たなクレーム12、23、31、40、54、71、84と111の中に、また関連する従属クレーム中に照射レベルが少なくとも1MRと明示され、盛り込まれている。

At least one error upon which reissue is based is described as follows:

We did not specifically claim certain important embodiments of the invention. In particular, we did not claim embodiments, focusing on preferred levels of irradiation which are patentable over the references of record. Such embodiments are claimed in new Claims 12, 23, 31, 40, 54, 71, 84, and 111, and associated dependent claims, wherein the level of irradiation is specified to be at least about 1 MR.

REISSUE APPLICATION DECLARATION BY  
THE INVENTOR

Docket Number  
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全ての誤りは、出願人の詐欺的な意図によるものではなく、この再発行特許出願で正される

委任状： 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

氏名	登録番号
David L. Suter	30,692
Mark A. Frentrup	41,026
Stephen J. Foss	31,251

連絡先： 本件にかかる全ての連絡は、

カスタマーナンバー

法律事務所または個人の名称

Harness, Dickey, and Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303

電話番号

(248) 641.1600

ファックス番号

(248) 641.0270

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ信頼と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorneys and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Names	Registration Number
David L. Suter	30,692
Mark A. Frentrup	41,026
Stephen J. Foss	31,251

Correspondence Address: Direct all communications about the application to:

Customer Number 27572



Firm or Individual Name:

Harness, Dickey, and Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303

Telephone:

(248) 641.1600

Fax:

(248) 641.0270

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

REISSUE APPLICATION DECLARATION BY  
THE INVENTOR

Docket Number  
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唯一または第一発明者氏名	Full name of sole or first inventor
	Suong-Hyu Hyon
発明者の署名	Inventor's signature
日付	Date
	July 30, 2002
住所	Residence
	29-13 Gobyo, Uji-shi, Kyoto-fu, 611-0021, JAPAN
国籍	Citizenship
	Korean
郵便の宛先	Post Office Address
	Same
	Masanori Oka
第二共同発明者がいる場合、その氏名	Full name of second joint inventor, if any
	Oka, Masanori
第二共同発明者の署名	Second inventor's signature
日付	Date
	2002.8.1
住所	Residence
	3-5-5-701, Omiyacho, Nara-shi, Nara-ken, 630-8115, JAPAN
国籍	Citizenship
	Japan
郵便の宛先	Post Office Address
	same
(第三以下の共同発明者についても同様に記載し、署名をすること)	
(Supply similar information and signature for third and subsequent joint inventors.)	